## **Baker & Hostetler LLP**

45 Rockefeller Plaza

New York, New York 10111 Telephone: (212) 589-4200 Facsimile: (212) 589-4201

David J. Sheehan Keith R. Murphy

Fernando A. Bohorquez

Jonathan B. New David W. Rice

Attorneys for Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities L.L.C. and the Estate of Bernard L. Madoff

# UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

AMERICAN SECURITIES MANAGEMENT, L.P., formerly known as AMERICAN SECURITIES, L.P., *et al.* 

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05415 (SMB)

# NOTICE OF ADJOURNMENT OF PRETRIAL CONFERENCE

PLEASE TAKE NOTICE that the pretrial conference in the above-referenced adversary proceeding, which was previously scheduled for September 27, 2017, has been adjourned to November 29, 2017 at 10:00 a.m.

PLEASE TAKE FURTHER NOTICE that the above-referenced pre-trial conference will be held before the Honorable Stuart M. Bernstein, United States Bankruptcy Judge.

Dated: September 1, 2017 New York, New York

## **BAKER & HOSTETLER LLP**

By: /s/ Keith R. Murphy

45 Rockefeller Plaza New York, New York 10111 Telephone: (212) 589-4200 Facsimile: (212) 589-4201 David J. Sheehan

Email: dsheehan@bakerlaw.com

Keith R. Murphy

Email: kmurphy@bakerlaw.com

Fernando A. Bohorquez

Email: fbohorquez@bakerlaw.com

Jonathan B. New

Email: jnew@bakerlaw.com

David W. Rice

Email: drice@bakerlaw.com

Attorneys for Plaintiff Irving H. Picard, Trustee for the Substantively Consolidated SIPA Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff

## KASOWITZ BENSON TORRES LLP

By: /s/ David J. Mark

1633 Broadway New York, New York 10019

Telephone: (212) 506-1934 Facsimile: (212) 506-1800

David J. Mark

Email: dmark@kasowitz.com

Daniel J. Fetterman

Email: dfetterman@kasowitz.com

Attorneys for Defendants

David P. Steinmann, individually, as beneficial owner of one or more IRAs, and as custodian for Catherine L. Steinmann;

Catherine L. Steinmann;

Gabriel B. Steinmann;

Joshua Steinmann;

Jennifer E. Steinmann;

David P. Steinmann IRA Rollover #1 & #2;

David Steinmann Defined Benefit Plan;

David P. Steinmann Money Purchase Pension

Plan;

JJG Enterprises; and

1185 Park Avenue Foundation, Inc.

## BARTON, BARTON, & PLOTKIN LLP

By: /s/ Roger E. Barton

420 Lexington Avenue Graybar Building, 18<sup>th</sup> Floor

New York, New York 10170

Telephone: (212) 885-8816 Facsimile: (212) 687-3667

Roger E. Barton

Email: rbarton@bartonesq.com

Attorney for Defendants

Abe Mastbaum;

Abe Mastbaum IRA;

Abe Mastbaum IRA Rollover;

Abe Mastbaum IRA SEP; and

Jason Mastbaum.

#### MORRISON & FOERSTER LLP

By: /s/ Carl H. Loewenson, Jr.

250 West 55th Street New York, New York 10019-9601 Telephone: (212) 468-8000 Facsimile: (212) 687-3667

Carl H. Loewenson, Jr.

Email: cloewenson@mofo.com

Justin D. Mayer

Email: jmayer@mofo.com

Attorneys for Defendants

Benjamin E. Nickoll, as trustee of the Charles D. Klein Generation Skipping Trust DTD 7/31/01;

CDK Partners;

Nan M. Harman, as trustee of the Visalia Trust UAD;

Reed L. Harman, as trustee of the Visalia Trust UAD;

The Nan M. and Reed L. Harman Foundation; Andrew B. Klein, individually, as beneficial owner of one or more IRAs, as trustee and beneficiary of the Charles D. Klein Generation Skipping Trust DTD 7/31/01, as trustee of the Andrew Klein Trust DTD 12/27/97, as trustee of the Elizabeth Klein Trust DTD 12/27/97 and as grantor and trustee of the Andrew B. Klein 1997 Trust DTD 5/15/97;

Charles D. Klein, individually, as beneficial owner of one or more IRAs, as custodian and/or trustee of the Charles D. Klein Money Purchase Pension Plan, as beneficiary of the Charles D. Klein Generation Skipping Trust DTD 7/31/01, as custodian and/or trustee of the Jane P. & Charles D. Klein Foundation, and as custodian and/or trustee of The Charles and Jane Klein Family Fund;

Elizabeth Klein, individually, as trustee and beneficiary of the Charles D. Klein Generation Skipping Trust DTD 7/31/01 and as trustee and beneficiary of the Elizabeth Klein Trust DTD 12/27/97:

Jane P. Klein, individually, as beneficial owner

of an IRA, as custodian for Andrew B. Klein and Elizabeth Klein, as trustee of the Trust under will of Donald W. Parsons FBO Jane P. Klein, as trustee of the Elizabeth Klein Trust DTD 12/27/97, as trustee of the Charles D. Klein Generation Skipping Trust DTD 7/31/01, and as trustee of the Andrew Klein 1997 Trust DTD 5/15/97;

The Charles and Jane Klein Family Fund; Klein Family Holdings, L.L.C.;

Jane P. Klein IRA;

Charles D. Klein IRA Rollover;

Charles D. Klein Money Purchase Pension Plan;

Joseph A. Rossetti, as beneficial owner of an IRA:

Joseph A. Rossetti IRA Rollover;

Susan C. Wolfe, as trustee of the Trust under will of Donald W. Parsons FBO Jane P. Klein; Laila Hafner, as beneficial owner of an IRA; Laila Hafner IRA;

Michael G. Fisch;

Michael G. Fisch IRA;

Michael G. Fisch Profit Sharing Plan;

Arlene Marie Pettingill;

Laura M. Roberson-Fisch, as beneficial owner of an IRA;

Laura M. Roberson-Fisch Money Purchase;

Pension Plan; and

Laura M. Roberson-Fisch Profit Sharing Plan.

#### PROSKAUER ROSE LLP

By: /s/ Gregg M. Mashberg

Eleven Times Square New York, New York 10036 Telephone: (212) 969-3000

Facsimile: (212) 969-2900

Marissa Tillem

Email: mtillem@proskauer.com

Gregg M. Mashberg

Email: gmashberg@proskauer.com

Attorneys for Defendants

Laurence Ach;

Joyce Goldstein, individually, as beneficial owner of an IRA, and as trustee of the Neil B. Goldstein 2007 Trust;
Joyce Goldstein IRA;
Neil B. Goldstein, individually, as beneficial owner of one or more IRAs, as grantor of the Neil B. Goldstein 2007 Trust, and as beneficiary of the Jean Weiner 1991 Grantor Retained Annuity Trust;
Neil B. Goldstein IRA Rollover;
South Lake, L.L.C.; and Darmel Management, L.L.C.

## KATTEN MUCHIN ROSENMAN LLP

By: /s/ Anthony L. Paccione

575 Madison Avenue New York, New York 10022 Telephone: (212) 940-8800 Facsimile: (212) 940-8776 Anthony L. Paccione

Email: anthony.paccione@kattenlaw.com

Mark Ciani

Email: mark.ciani@kattenlaw.com

Brian Muldrew

Email: brian.muldrew@kattenlaw.com

Attorneys for Defendants George Anagnos; Josephine G. Anagnos; Steven Anagnos; and Maria Anagnos-Pierce.

## STORCH AMINI & MUNVES PC

By: /s/ Steven G. Storch

2 Grand Central Tower 140 East 45 Street, 25th FL New York, New York 10017 Telephone: (212) 490-4100 Facsimile: (212) 490-4208

Steven G. Storch Email: sstorch@samlegal.com

Attorney for Defendants
PJ Administrator, L.L.C., formerly known as PJ
Associates Group, L.P.;
PJ Associates GP Corp.; and
PJ Associates Group, L.P. DBA PJ
Administrator, L.L.C.

By: /s/ Ivo Rothschild

P.O. Box 609, Station B Montreal, Quebec H3B3K3 Canada On Behalf of pro se Defendant Ivo Rothschild

By: /s/ Wallace Aptman

1654 Bridgewood Drive Boca Raton, Florida 33434 On Behalf of pro se Defendants Wallace Aptman and Wallace Aptman IRA Rollover Account

By: /s/ Joseph J. Nicholson

733 Saint Nicholas Avenue, Apt. 1 New York, New York 10031 On Behalf of pro se Defendant Joseph J. Nicholson individually and as Trustee of the Joseph J. Nicholson Charitable Remainder Unitrust

## **AKERMAN LLP**

By: <u>/s/ Dean A. Dickie</u>

71 South Wacker Drive 46th Floor Chicago, IL 60606 Telephone: (312) 634-5700

Facsimile: (312) 424-1900

Dean A. Dickie

Email: dean.dickie@akerman.com

Attorney for Defendants
Anthony R. Grillo as Trustee of the Joseph J.
Nicholson Charitable Remainder Unitrust and
Barry F. Margolius as Trustee of the Joseph J.
Nicholson Charitable Remainder Unitrust.

# EMERY CELLI BRINCKEROFF & ABADY LLP

By: /s/ Daniel J. Kornstein

600 Fifth Avenue 10<sup>th</sup> Floor New York, New York 10020 Telephone: (212) 763-5000 Facsimile: (212) 763-5001 Daniel J. Kornstein

Email: dkornstein@ecbalaw.com

Attorney for Defendants American Securities Management, L.P., f/k/a American Securities, L.P.; American Securities Opportunity Fund, L.P.; American Securities Holdings Corp.; American Securities Group, L.L.C.; AS Hirota Holdings Corp.; Elizabeth R. Varet, individually, and as custodian for Joseph R. Varet, as custodian and/or Trustee of the Elizabeth R. Varet Money Purchase Pension Plan, as grantor of the 2004 V Trust for Elizabeth R. Varet, as trustee of the Apollo Trust for Alice R. Sigelman UAD 2/10/69, as trustee and beneficiary of the Apollo Trust for Elizabeth R. Varet UAD 2/10/69, as trustee of the Apollo Trust 2/10/69 FBO Nina Rosenwald, as settlor of Michael A. Varet Trust *UAD 11/9/94, as settlor of the Trust 11/9/94 (A.* Anagnos et. al., Trustees), as trustee of the Issue 1 Trust UAD 8/30/41 FBO Nina Rosenwald, as trustee of the Issue 1 Trust UAD 8/30/41 FBO Alice Rosenwald, as trustee and beneficiary of

the Issue 1 Trust UAD 8/30/41 FBO Elizabeth R. Varet, as trustee of the Issue Trust 5 UAD 9/28/51 FBO Nina Rosenwald, as trustee of Issue Trust 5 UAD 9/28/51 FBO Alice Rosenwald, as trustee of the Issue Trust 5 UAD 9/28/51 FBO Benjamin R. Sigelman, as trustee of the Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman, as trustee of the Issue Trust 5 UAD 9/28/51 FBO David R. Varet, as beneficiary of the Issue Trust 5 UAD 9/28/51 FBO Elizabeth R. Varet, as trustee of the Issue Trust 5 UAD 9/28/51 FBO Joseph R. Varet, as trustee and Beneficiary of the Issue Trust 6 UAD 8/13/65 FBO Elizabeth R. Varet, as trustee of the Issue Trust 6 UAD 8/13/65 FBO Alice Rosenwald, as trustee of the Issue Trust 6 UAD 8/13/65 FBO Nina Rosenwald, as trustee of the Trust UAD 3/4/92 FBO Benjamin R. Sigelman, and as trustee of the Trust UAD 3/4/92 FBO Jonathan R. Sigelman;

Stuart H. Coleman, as trustee of the Apollo Trust for Elizabeth R. Varet UAD 2/10/69, as trustee of the Apollo Trust 2/10/69 FBO Nina Rosenwald, as trustee of Issue 1 Trust UAD 8/30/41 FBO Nina Rosenwald, as trustee of Issue 1 Trust UAD 8/30/41 FBO Elizabeth R. Varet, as trustee of Issue 1 Trust UAD 8/30/41 FBO Alice Rosenwald, as trustee of Issue Trust 5 UAD 9/28/51 FBO Alice Rosenwald, as trustee of Issue Trust 5 UAD 9/28/51 FBO Nina Rosenwald, as trustee of Issue Trust 5 UAD 9/28/51 FBO Benjamin R. Sigelman, as trustee of Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman, as trustee of Issue Trust 5 UAD 9/28/51 FBO David R. Varet, as trustee of Issue Trust 5 UAD 9/28/51 FBO Elizabeth R. Varet. as trustee of Issue Trust 6 UAD 8/13/65 FBO Elizabeth R. Varet, as trustee of Issue Trust 6 UAD 8/13/65 FBO Alice Rosenwald and as trustee of Issue Trust 6 UAD 8/13/65 FBO Nina Rosenwald:

Ellen V. Greenspan, as trustee of the Trust 11/9/94 (A. Anagnos et. al., trustees); Alice Rosenwald a/k/a Alice Sigelman, individually, as custodian for Jonathan Sigelman, as custodian for Benjamin R.

Sigelman, as trustee and beneficiary of Issue 1 Trust UAD 8/30/41 FBO Alice Rosenwald, as trustee and beneficiary of Issue Trust 6 UAD 8/13/65 FBO Alice Rosenwald, as trustee of the Apollo Trust for Elizabeth R. Varet UAD 2/10/69, as trustee of the Apollo Trust 2/10/69 FBO Nina Rosenwald, as trustee of Issue 1 Trust UAD 8/30/41 FBO Nina Rosenwald, as trustee of Issue 1 Trust UAD 8/30/41 FBO Elizabeth R. Varet, as trustee of Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman, as trustee of Issue Trust 5 UAD 9/28/51 FBO David R. Varet, as trustee of Issue Trust 5 UAD 9/28/51 FBO Elizabeth R. Varet, as trustee of Issue Trust 5 UAD 9/28/51 FBO Sarah R. Varet, as trustee of Issue Trust 6 UAD 8/13/65 FBO Elizabeth R. Varet, as trustee of Issue Trust 6 UAD 8/13/65 FBO Nina Rosenwald and as Executrix of the Estate of Jesse L. Sigelman; Nina Rosenwald, individually, as trustee of the Apollo Trust for Elizabeth R. Varet UAD 2/10/69, as trustee of Issue 1 Trust UAD 8/30/41 FBO Alice Rosenwald, as trustee of Issue 1 Trust UAD 8/30/41 FBO Elizabeth R. Varet, as trustee of Issue Trust 5 UAD 9/28/51 FBO Benjamin R. Sigelman, as trustee of Issue Trust 6 UAD 8/13/65 FBO Elizabeth R. Varet, as trustee of Issue Trust 6 UAD 8/13/65 FBO Alice Rosenwald, as trustee of Issue Trust 5 UAD 9/28/51 FBO Alice Rosenwald, as trustee and beneficiary of the Apollo Trust 2/10/69 FBO Nina Rosenwald, as trustee and beneficiary of Issue 1 Trust UAD 8/30/41 FBO Nina Rosenwald, as trustee and beneficiary of Issue Trust 5 UAD 9/28/51 FBO Nina Rosenwald and as trustee and beneficiary of Issue Trust 6 UAD 8/13/65 FBO Nina Rosenwald; Benjamin R. Sigelman, individually, as beneficiary of the Issue Trust 5 UAD 9/28/51 FBO Benjamin R. Sigelman, and as beneficiary of the Trust UAD 3/4/92 FBO Benjamin R. Sigelman: Jonathan R. Sigelman, individually, and as

Jonathan R. Sigelman, individually, and as beneficiary of the Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman, as beneficiary of the Trust UAD 3/4/92 FBO Jonathan R.

Sigelman;

The Estate of Jesse L. Sigelman;

David R. Varet:

Joseph R. Varet, individually, and as beneficiary of the Issue Trust 5 UAD 9/28/51

FBO Joseph R. Varet:

Michael A. Varet, individually, as beneficial owner of one or more IRAs, as custodian for David R. Varet and Sarah R. Varet, and as trustee of the Michael A. Varet Trust UAD

11/9/94;

Sarah R. Varet, individually and as trustee and beneficiary of the Issue Trust 5 UAD 9/28/51 FBO Sarah R. Varet;

*Elizabeth R. Varet IRA Rollover;* 

Michael A. Varet IRA Rollover;

Michael A. Varet IRA Rollover #2;

Elizabeth R. Varet Defined Benefit Plan & Trust:

Elizabeth R. Varet Money Purchase Pension Plan:

Decimal Investments, L.L.C.;

Hudson Charitable Fund;

P&I Partners;

*The Abstraction Fund;* 

American Philanthropic Foundation;

Anchorage Charitable Fund;

JJG Foundation, Inc.;

Metropolitan Philanthropic Fund, Inc.

Alice Rosenwald Fund;

William Rosenwald Family Fund, Inc.;

James R. Ledley, as trustee of Issue Trust 5 UAD 9/28/51 FBO Jonathan R. Sigelman and as trustee of the Trust UAD 3/4/92 FBO Jonathan R. Sigelman;

Alexander G. Anagnos as trustee of the 2004 V Trust and as trustee of Trust 11/9/94 (A.

Anagnos et al., trustees);

Ronald Stein as trustee of the Trust UAD 3/4/92 FBO Benjamin R. Sigelman and as trustee of the Trust UAD 3/4/92 FBO Jonathan R. Sigelman; Belinda Clarke, as trustee for the Concorde 1987 Trust DTD 12/9/87; and Peter Pearman, as trustee for the Concorde

1987 Trust DTD 12/9/87.

<b>Defendants</b>
1185 Park Avenue Foundation, Inc.
Abe Mastbaum
Abe Mastbaum IRA
Abe Mastbaum IRA Rollover
Abe Mastbaum IRA SEP
Abstraction Fund
Alexander G. Anagnos, as trustee
Alice Rosenwald a/k/a Alice R. Sigelman
Alice Rosenwald Fund
American Philanthropic Foundation
American Securities Group, L.L.C.
American Securities Holdings Corp.
American Securities Management, L.P., f/k/a American Securities, L.P.
American Securities Opportunity Fund, L.P.
Anchorage Charitable Fund
Andrew B. Klein
Anthony R. Grillo, as trustee
Arlene Marie Pettingill
AS Hirota Holdings Corp.
Barry F. Margolius, as trustee
Belinda Clarke, as trustee
Benjamin E. Nickoll, as trustee
Benjamin R. Sigelman
Catherine L. Steinmann
CDK Partners
Charles D. Klein
Charles D. Klein IRA Rollover
Charles D. Klein Money Purchase Pension Plan
Darmel Management, L.L.C.
David P. Steinmann
David P. Steinmann IRA Rollover #1
David P. Steinmann IRA Rollover #2
David P. Steinmann Money Purchase Pension Plan
David R. Varet
David Steinmann Defined Benefit Plan
Decimal Investments, L.L.C.
Elizabeth Klein
Elizabeth R. Varet
Elizabeth R. Varet Defined Benefit Plan & Trust
Elizabeth R. Varet IRA Rollover
Elizabeth Varet Money Purchase Pension Plan
Ellen V. Greenspan, as trustee
Estate of Jesse L. Sigelman
Library of rease L. Digetiman

Defendants
Gabriel B. Steinmann
George Anagnos
Hudson Charitable Fund
Ivo Rothschild
James R. Ledley, as trustee
Jane P. Klein
Jane P. Klein IRA
Jason Mastbaum
Jennifer E. Steinmann
JJG Enterprises
JJG Foundation, Inc.
Jonathan R. Sigelman
Joseph A. Rossetti IRA Rollover
Joseph A. Rossetti, as beneficial owner of an IRA
Joseph J. Nicholson
Joseph R. Varet
Josephine G. Anagnos
Joshua Steinmann
Joyce W. Goldstein
Joyce W. Goldstein IRA
Klein Family Holdings, L.L.C.
Laila Hafner IRA
Laila Hafner, as beneficial owner of an IRA
Laura M. Roberson-Fisch IRA
Laura M. Roberson-Fisch Money Purchase Pension Plan
Laura M. Roberson-Fisch Profit Sharing Plan
Laura M. Roberson-Fisch, as beneficial owner of an IRA
Laurence Ach, as trustee
Maria Anagnos-Pierce
Metropolitan Philanthropic Fund, Inc.
Michael A. Varet
Michael A. Varet IRA Rollover
Michael A. Varet IRA Rollover #2
Michael G. Fisch
Michael G. Fisch IRA
Michael G. Fisch Profit Sharing Plan
Minor #1
Nan M. Harman, as trustee
Neil B. Goldstein
Neil B. Goldstein IRA Rollover
Nina Rosenwald
P&I Partners
Peter Pearman, as trustee
reici reaiman, as uusiee

Defendants
PJ Administrator, L.L.C.
PJ Associates Group GP Corp.
PJ Associates Group, L.P.
Reed L. Harman, as trustee
Ronald J. Stein, as trustee
Sarah R. Varet
South Lake, L.L.C.
Steven Anagnos
Stuart H. Coleman, as trustee
Susan C. Wolfe, as trustee
The Charles and Jane Klein Family Fund
The Reed L. Harman and Nan M. Harman Foundation
Wallace Aptman
Wallace Aptman IRA Rollover
William Rosenwald Family Fund, Inc.